



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,967	05/25/2001	Carol J. Dose	YOR920010144US1	5971

7590 08/02/2005

PHILMORE H. COLBURN II
CANTOR COLBURN LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
----------	--------------

2166

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,967

Applicant(s)

DOSE ET AL.

Examiner

Srirama Channavajjala

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-45 pending in this application.
2. Examiner acknowledges applicant's "AMENDMENT" filed on March 30, 2005 in response to the non final Office action mailed on March 29, 2004.
3. Examiner noted applicant's "LETTER" filed on 7/21/2004 to "disregard the amendment erroneously filed on June 30, 2004.

Drawings

4. The drawings are approved by the Draftsperson under 37 CFR 1.84 or 1.152

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 6/22/2001, paper no. # 6 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner, a copy of PTO-1449 is herewith enclosed with this office action, paper no. # 7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

Art Unit: 2166

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1- 13,15-27,32-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renslo et al., [hereafter Renslo], US Patent No. 5446890 in view of Young et al., [hereafter Young], US Patent No. 5778049.

As to Claims 1,9,15,23,32,40, Renslo teaches a system which including 'performing ratio Planning' [see Abstract], Renslo is directed to rules applied to database for updating and generating the forecasts of system demands, more specifically forecasting system or planning system that predicts product demand, accordingly database is being updated as detailed in Abstract, examiner interpreting ratio Planning corresponds to Renslo's forecasting system related to products in demand; 'building a ratio planning database' [fig 1, element 42, fig 9, col 4, line 1-3, line 21-23], planning database corresponds to fig 1, element 42; 'creating a pre-defined ratio planning report template includes a coefficient of variation field' [fig 9], Renslo specifically teaches report template for example review forecast that including market % and Actual %, further Renslo also defines market % is for previous three months that corresponds to coefficient of variation field; 'creating a populated database for said report template, wherein said populated database is a subset of said ratio planning database' [col 5, line 36-40], creating a populated database corresponds to entering forecasting values into the database as detailed in col 5, line 36-40; 'populated

Art Unit: 2166

database is a subset of said ratio planning database' [col 4, line 19-23]; 'generating a pre-defined ratio planning report in response to a user system request' [see fig 5-7], especially, Renslo specifically suggests for example reports menu as detailed in fig 5 that generate various reports to user system request, 'populated database' populated database corresponds to entering forecasting values into the database as detailed in col 5, line 36-40; 'planning database' planning database corresponds to fig 1, element 42. It is however, noted that Renslo does not specifically teach 'input to said pre-defined ratio planning report includes said report template'. On the other hand, Young disclosed 'input to said pre-defined ratio planning report includes said report template' [col 6, line 38-46, col 8, line 6-14].

It would have been obvious to one of the ordinary skill in the art at the time of applicants' invention to incorporate the teachings of Young et al., into system for using subsets of rules applied to a database for updating and generating the rule knowledge base and forecasts of system demand of Renslo et al. because both are directed to planning and product demand, more specifically Renslo is directed to forecasting system predicts product demand, all the related information, reports are stored in a database as detailed in Abstract, fig 1; while Young et al. is directed to service engineering template, more specifically centralized database system comprising multiple service engineering templates, these service engineering templates are related to deployment, operations, marketing, sales, maintenance and servicing of the new service that are part of service engineering templates as detailed in Abstract, fig 1-2,

Art Unit: 2166

and both Renslo and Young et al are directed to generating information reports and are from the same field of endeavor.

One of the ordinary skill in the art at the time of applicants' invention to combine the references because that would have allowed users of Renslo et al rules applied to database for generating and updating forecasts of system demands to control which relative combination of individual user-defined templates satisfies his or her needs as suggested by Young et al.,[see col 3, line 26-40].

7. As to Claims 2,16,33, the limitations of this claims have been noted in the above rejection Claims 1,15,32. In addition, Renslo disclosed 'ratio planning data sources include sales data [see fig 1, element40], sales data corresponds to sales order system that represent sales data; 'planning data' [fig 1, element 42], planning data corresponds to planning system that represent planning data; 'feature unit cost' [fig 11A-11B]; 'feature data' [fig 9, col 4, line 7-9, line 19-27]; 'updating said ratio planning database with the received data' [col 7, line 52-55, col 8, line 1-2, fig 4].

8. As to Claims 3,17,34, the limitations of this claim have been noted in the rejection Claims 2,16,33 above. In addition, Renslo disclosed 'ratio planning database includes data values calculated based on said received data' [col 3, line 63-67, col 4, line 1-3], 'calculated data values including at least one of feature to model sales ratios, feature to model order backlog ratios, historical mean of feature to model sales ratios'

Art Unit: 2166

[col 4, line 7-9, col 6, line 36-39], and 'coefficient of variation' [fig 8-9], as best understood by the examiner, coefficient of variation is part of the standard deviation expressed as % of the mean because statistical measure used in historical mean analysis, also Ratio statistics are common knowledge in the art and also Renslo specifically directed to various graphical data for example as detailed in fig 17-18, also Renslo teaches compiling varieties of data for example review forecast as detailed fig 9, standalone forecast report as detailed in fig 11A-11B.

9. As to Claims 4,6,18,20,35, 37, the limitations of this claim have been noted in the rejection Claims 1,15,32, above. In addition, Renslo disclosed 'ratio planning database includes a feature data index' [see fig 3, col 3, line 45-54].

10. As to Claims 5,7,19,21,36,38, the limitations of this claim have been noted in the rejection Claims 4,18,35 above. In addition, Renslo disclosed 'data index catalogs part numbers by at least one of planner owner, commodity, function, and family' [fig 9-10].

11. As to Claims 8,22,39, the limitations of this claim have been noted in the rejection Claims 1,15,32 above. In addition, Renslo disclosed 'planning database is a relational database' [col 3, line 40-44, col 4, line 7-9].

Art Unit: 2166

12. As to Claims 10,24,41, the limitations of this claim have been noted in the rejection Claims 1,15,32 above. In addition, Renslo disclosed 'at least one additional pre-defined ratio planning report template is a default feature planning report' [see fig 6-12].

13. As to Claims 11,25,42, the limitations of this claim have been noted in the rejection above Claims. In addition, Renslo disclosed 'pre-defined ratio planning report template is a forecast accuracy report' [fig 9,11], Renslo specifically directed to review forecast data, standalone forecast report data as detailed in fig 9 and 11.

14. As to Claims 12,26,43, the limitations of this claim have been noted in the rejection Claims above. In addition, Renslo disclosed 'pre-defined ratio planning report template is an audit report' [fig 1, col 3, line 45-55], Renslo specifically teaches reports functions forecast functions, graphs functions and like, further Renslo also teaches template data for example standalone forecast report, as detailed in fig 11.

15. As to Claims 13,27,44, the limitations of this claim have been noted in the rejection Claims above. In addition, Renslo disclosed 'pre-defined ratio planning report template is an average model cost report' [see fig 10].

Art Unit: 2166

16. Claims 14,28-31,45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renslo et al., [hereafter Renslo], US Patent No. 5446890, Young et al., [hereafter Young], US Patent No. 5778049 as applied to Claims 1,15,32 above, further in view of Papierniak, US Patent No. 6671689

17. As to Claims 14,28,45, Renslo disclosed 'pre-defined ration planning report template as detailed in fig 9-11. It is however noted that Renslo does not specifically teach 'churn report'. On the other hand, Papierniak disclosed 'churn report' [see col 2, line 1-10].

It would have been obvious to one of the ordinary skill in the art at the time of applicants' invention to incorporate the teaching of Papierniak into Young et al, Renslo et al. because all the references are directed to user interface business related databases, more specifically Papierniak is directed to data warehouse portal for providing overall view of one or more data warehouses for analyzing data [see Ppapierniak: Abstract], Young and Renslo both are directed to planning and product demand, more specifically Renslo is directed to forecasting system predicts product demand, all the related information, reports are stored in a database as detailed in Abstract, fig 1; while Young et al. is directed to service engineering template, more specifically centralized database system comprising multiple service engineering templates , these service engineering templates are related to deployment, operations, marketing, sales, maintenance and servicing of the new service that are part of service

Art Unit: 2166

engineering templates as detailed in Abstract, fig 1-2, and both Renslo and Young et al are directed to generating information reports, further it is noted that Renslo and Papierniak both teach analyzing historical data [see Papierniak: fig 3; Renslo: fig 9,11] and are from the same field of endeavor.

One of the ordinary skill in the art at the time of applicants' invention to combine the references because that would have allowed users of Renslo et al , Young et al., to analyze the complex data, further evaluation, understanding the behavior of various components for example users, revenue, forecasting customized items and predicting the likelihood of events using knowledge and data discovery trends using churn analysis, thus improving updates or additions made to the data elements, relationships, user access, reports and applications as suggested by Papierniak, col 3, line 31-36.

18. As to Claim 29, 31, Papierniak disclosed 'network providing communication between the host system and the user system' [see fig 1-2, col 7, line 25-30].

19. As to Claim 30, Renslo teaches a system which including 'ratio planning data source' [see abstract], on the other hand, Papierniak disclosed 'network providing communication between the storage device' [see fig 2-3].

Response to Arguments

Applicant's arguments filed on 3/30/2005 with respect to claims 1-45 have been fully considered but they are not persuasive, for examiner's response, see discussion below:

a) At page 6, line 11-12, claim 1-13,15-27,32-44, applicant argues that figure 9 of Renslo shows an access screen, not a template, and it is not for planning, but for reviewing past forecasts.

As to the above argument [a], Rensio is directed to forecasting system predicts product demand, more specifically Rensio teaches relational database that provides various product related information for example as detailed in fig 1. As noted from Rensio's figure 1, that Rensio provides various functions that including sales order system, reports functions, database functions, forecast functions, graphics, metrics/graphics, planning system, reports and like as detailed in fig 1. Rensio also teaches creating single program interface using minimal number of access screens for forecast analysis [see col 1, line 60-66]. It is further noted that Rensio also teaches various functions related to forecast, especially forecast menu [fig 3], report menu [fig 5] that allows to create required templates or create customized menu type screens [see col 3, line 45-46]. Rensio's database stores all necessary product, forecast data that including order history and forecast results [see col 4, line 7-9], it is also noted that

Art Unit: 2166

Rensio's fig 9 is directed to forecast analyst to review the results of past forecasts especially review forecast that including market % and Actual % by creating template that allows analyst to review the results as detailed in col 4, line 21-23.

b) At page 6, line 14-16, claim 1-13,15-27,32-44, applicant argues that "the proposed combination of Rensio and Young results in an inoperative device and, thus teaches away from the combination and not rendering the claimed invention obvious.

In response to applicant's argument [b] that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Rensio et al. directed to forecasting system predicts product demand, more specifically relational database stores various information for example forecast functions, database functions, report functions, sales order, graphics functions, reports, planning system elated data, metrics/graphs related data as detailed in fig 1, further it is noted that using customized menu screens, report functions run many different types of forecast reports [see col 3, line 45-55], also allows analysts to review the results of past forecasts that including historical information [col 4, line 20-24]. On the other hand, Young et al. is directed to

Art Unit: 2166

service engineering template, more specifically, recording, tracking information in a template related to various functions for example new service, deployment operations, marketing, sales, maintenance and like [see Abstract, col 3, line 1-6]. It would have been obvious to one of the ordinary skill in the art at the time of applicants' invention to incorporate the teachings of Young et al., into system for using subsets of rules applied to a database for updating and generating the rule knowledge base and forecasts of system demand of Renslo et al. because both are directed to planning and product demand, more specifically Renslo is directed to forecasting system predicts product demand, all the related information, reports are stored in a database as detailed in Abstract, fig 1; while Young et al. is directed to service engineering template, more specifically centralized database system comprising multiple service engineering templates, these service engineering templates are related to deployment, operations, marketing, sales, maintenance and servicing of the new service that are part of service engineering templates as detailed in Abstract, fig 1-2, and both Renslo and Young et al are directed to generating information reports and are from the same field of endeavor.

One of the ordinary skill in the art at the time of applicants' invention to combine the references because that would have allowed users of Renslo et al rules applied to database for generating and updating forecasts of system demands to control which relative combination of individual user-defined templates satisfies his or her needs as suggested by Young et al.,[see col 3, line 26-40].

Art Unit: 2166

c) Examiner applies above discussed arguments to the dependent claims 2-13, 16-27,33-44, also, claims 14,28,45 dependent on claims 1,15,32.

Conclusion

The prior art made of record

- a. US Patent No. 5446890
- b. US Patent No. 5778049
- c. US Patent No. 6671689

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- d. US Patent No. 6338001
- e. US Patent No. 6571235
- f. US Patent No. 6546303

g. Charu Chandra, college of engineering and computer science, University of Michigan-Dearborn, Report Brief AL Based strategic decision modeling for custom-oriented company Management June 4, 2003pp 51-55.

h. Company Statements Analysis version: Beta 0.5 November 11,1998; <http://businessstools.org/analysis/analysis.html>.

i. Saharon Rosset et al., Evaluation of Prediction Models for Marketing campaigns, Proceedings of the seventh ACM SIGKDD International conference on Knowledge discovery, 2001, pp 456-461

- j. WO 97/29446

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2166

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc
Patent Examiner.
July 14, 2005.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER